

26-2.10(10)-S10290

STATE LANDS

(d) Topsoil removal shall precede each step of the prospecting operation where any excavation is involved.

(e) Planting and Revegetation. A suitable permanent diverse vegetative cover capable of meeting the criteria set forth in Section 12 of Chapter 325, Session Laws of Montana, 1973, shall be established on all areas of land affected except areas of authorized water confinement. Recommendations of the Department shall be followed. An operator shall establish a permanent diverse vegetative cover of predominantly native species by seeding or planting, by seedling transplants, by establishing sod plugs, and/or by other methods as approved by the Department.

26-2.10(10)-S10290 DEFINITIONS

(1) Access Roads. Access roads are those roads leading from a public roadway to the mine complex.

(2) Haulageway Roads. Haulageway roads are those roads leading from the tipple, processing, or mine complex areas onto or through areas that have been mined or are being mined.

(3) Ramp Roads. Ramp roads are those roads leading from the pit into the haulageway road.

(4) Soil Horizon. A soil horizon may be defined as a layer within a soil that is approximately parallel to the soil surface and that has properties that are produced by soil forming processes but that are unlike those of adjoining layers.

26-2.10(10)-S10300 PREPLANNING

(1) A person proposing an operation of more than one year's duration shall submit intended mining and reclamation plans along with maps for the anticipated life of the operation. The intended mining and reclamation plan shall be divided into two (2) time periods as determined by the Department. The intended mining and reclamation plan for the initial period shall contain all requirements which would be included in the application for an annual permit. The second time period of the intended mining and reclamation plan shall apply to the remaining life of the operation, (as determined at the time of application by mineral rights held either by lease, consignment or ownership). The intended mining and reclamation plans for the second period shall contain in as much detail as possible the requirements of a permit application. The operator shall be obligated to conduct the method of operation and reclamation in accordance with the provisions of the plans unless proposed changes requested by the company are accepted in writing by the Department. The Department may make changes in the mining and reclamation plans when problem situations are revealed.

SURFACE MINING PERMIT FORM

STATE OF MONTANA
DEPARTMENT OF STATE LANDS

Surface Mining Permit No. _____

Pursuant to Chapter 325, SLM, 1973

Capitol Building
Helena, Montana 59601
Phone 406/449-2074

This permit when executed by the Commissioner of State Lands shall authorize the operator to commence surface mining activities as specified herein and on maps, plans, specifications and applications submitted by the operator, upon filing of a performance bond as specified by the Board.

Name and Address of Operator _____

Legal Description of Mine Location _____

Section T N R E County
S W

Minerals to be Mined _____

{ Acres to be Disturbed
During next 12 months

{ Acres to be Disturbed
during life of Operation
covered by this permit

Initial Bond Level
(Per Acre)

Total Initial Bond Level _____

This permit authorizes the permittee to conduct mining activities as specified in:

1. The Application for Mining Permit Number _____ received by the Department on _____, 19____.
2. The mining and reclamation plan numbered _____ covering this mine or mine complex approved by the Commissioner of State Lands on _____, 19____.

This permit and its associated reclamation plan may be modified by the Board, upon proper application of the permittee, at any time during the term of the permit and for any of the following reasons:

1. To modify the requirements so they will not conflict with existing laws;
2. The previously adopted mining and reclamation plan is impossible or impracticable to implement and maintain;
3. The operator and an authorized agent of the Department mutually agree, in the field, to temporarily modify the plan, pending final approval by the Board.

This permit is approved and issued by:

Renewal Date: _____

Commissioner of State Lands

This permit is valid for one year and
subject to suspension by non-compliance
and may be revoked by order of the Board.

Date